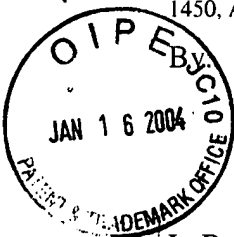


I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.



Louise Driscoll

Date:

January 14, 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Kerry I. Litvin

Conf. No.: 8043

Group Art Unit: 2874

Appln. No.: 09/811,749

Examiner: Hemand Sanghavi

Filing Date: March 19, 2001

Attorney Docket No.: 10622-4US

Title: TIME SLOT TUNABLE ALL-OPTICAL PACKET DATA ROUTING SWITCH

TERMINAL DISCLAIMER TRANSMITTAL LETTER

Submitted herewith is a Terminal Disclaimer and Statement of Common Ownership with respect to the above-identified patent application.

☒ A check in the amount of \$110.00 for the statutory disclaimer fee is enclosed herewith.

☒ The Commissioner is hereby authorized to charge Deposit Account No. 50-1017 (Billing No. 210622.0004) as noted below. A duplicate copy is enclosed.

☐ Statutory disclaimer fee in the amount of \$____.00.

☒ Any deficiencies or overpayments in the above-calculated fee.

Respectfully submitted,

KERRY I. LITVIN

January 14, 2004 By: *Clark Jablon*
(Date)

CLARK A. JABLON

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Enclosure

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

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Title: TIME SLOT TUNABLE ALL-OPTICAL PACKET DATA ROUTING SWITCH

TERMINAL DISCLAIMER AND STATEMENT OF COMMON OWNERSHIP

In accordance with 37 C.F.R. § 1.321(b), Petitioner, General Instrument Corporation, residing at 101 Tournament Drive, Horsham, Pennsylvania 19044, represents that it is assignee of the whole and entire right, title and interest in and to the above-identified application, which is related to prior U.S. Patent No. 6,650,800 B2 (the "prior patent"). The prior patent was assigned to Petitioner by an Assignment recorded March 19, 2001, at Reel 011629, Frame 0124. The present application was assigned to Petitioner by an Assignment recorded March 19, 2001, at Reel 011631, Frame 0677. Based on a review of evidentiary documents relating to the chain of title from the original owner to Petitioner, the undersigned hereby certifies that to the best of his knowledge and belief, both the present application and the prior patent are commonly owned by Petitioner.

Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the present application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 of the prior patent. Petitioner hereby agrees that any patent so granted on the present application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the present application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, Petitioner does not disclaim any terminal part of any patent granted on the present application that would extend to the expiration date of the full statutory term defined in 35 U.S.C. § 154 to § 156 of the prior patent, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable or is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or is terminally disclaimed under 37 C.F.R. § 1.321, has all claims cancelled by a re examination certificate, or is in any manner terminated prior to the expiration of its full statutory term.

The undersigned official of Petitioner is empowered to act on behalf of Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

GENERAL INSTRUMENT CORPORATION

January 14, 2004 By: Clark Jablon
(Date) **CLARK A. JABLON**
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